

AUG 21 2002

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Agere Systems Guardian Corp.

Application No./Patent No.: 09/514,489

Filed/Issue Date: February 29, 2000

Entitled: SYSTEM AND METHOD FOR COMMUNICATING DATA OVER A RADIO FREQUENCY VOICE CHANNEL

Agere Systems Guardian Corp. a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

Address: 9333 S. John Young Parkway; Room 301E1211; Orlando, Florida 32819 USA

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____%

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Inventors To: Lucent Technologies Inc.
The document was recorded in the United States Patent and Trademark Office at Reel 010659, Frame 0046, or for which a copy thereof is attached.

2. From: Lucent Technologies Inc. To: Agere Systems Guardian Corp.
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Date

Mark E. Kelley

Typed or printed name

Signature

Attorney for Applicant

Title

EXECUTION COPY

PATENT ASSIGNMENT

by and between

LUCENT TECHNOLOGIES INC.

and

AGERE SYSTEMS GUARDIAN CORP.

Dated as of January 30, 2001

PATENT ASSIGNMENT

THIS PATENT ASSIGNMENT (this "Assignment"), effective as of January 30, 2001 (the "Effective Date"), is by and between Lucent Technologies Inc., a Delaware corporation, with offices at 600 Mountain Avenue, Murray Hill, New Jersey 07974, United States of America, ("ASSIGNOR") and Agere Systems Guardian Corp., a Delaware corporation, with offices at 555 Union Boulevard, Allentown, PA 18109, United States of America ("Agere Systems Guardian").

RECITALS

A. WHEREAS, the Board of Directors of ASSIGNOR has determined that it is in the best interests of ASSIGNOR and its stockholders to separate ASSIGNOR's existing businesses into two independent businesses;

B. WHEREAS, ASSIGNOR presently owns or controls certain patents, patent applications, and invention submissions listed in the attached Appendices A and B (hereinafter "TRANSFERRED PATENTS") and;

C. WHEREAS, in furtherance of the foregoing separation, ASSIGNOR desires to transfer, assign, convey, deliver and vest all of its interests and rights in TRANSFERRED PATENTS for all countries, jurisdictions and political entities of the world, to and in Agere Systems Guardian;

NOW, THEREFORE, in consideration of the premises and for other good and valid consideration, the receipt and sufficiency of which are hereby acknowledged, the parties, intending to be legally bound, agree as follows:

ASSIGNOR, subject to existing rights and licenses of third parties, does hereby assign, convey, transfer and deliver, and agrees to assign, convey, transfer and deliver to Agere Systems Guardian, its successors, assigns and legal representatives or nominees, ASSIGNOR's entire right, title and interest, for all countries, jurisdictions and political entities of the world, along with the right to sue for past infringement, to all TRANSFERRED PATENTS listed on Appendices A and B, and corresponding counterpart foreign patents and patent applications, with respect to which, and to the extent to which, ASSIGNOR now has or hereafter acquires the right to so assign, convey, transfer and deliver. Agere Systems Guardian recognizes that ASSIGNOR holds only bare legal title to the TRANSFERRED PATENTS listed in Appendix A (which lists the United States Patents and patent applications previously exclusively licensed to Lucent Technologies Microelectronics Guardian Corp.).


ASSIGNOR and ASSIGNEE recognize that the patents listed in Appendices A and B may inadvertently include patents that are owned by various subsidiaries of ASSIGNOR, including Agere, Inc., Ortel Corporation, Optimay Corporation, Herrmann Technology, Inc., and Enable Semiconductor, Inc. Ownership of such patents shall not be affected by this Patent

Assignment, and ASSIGNEE agrees that any such patents shall be deemed deleted from Appendices A and B.

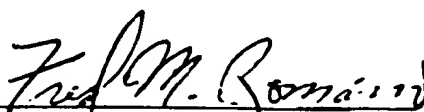
ASSIGNOR agrees that, upon request it will, at any time without charge to Agere Systems Guardian, but at Agere Systems Guardian's expense, furnish all necessary documentation relating to or supporting chain of title, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient for vesting title to TRANSFERRED PATENTS in Agere Systems Guardian, its successors, assigns and legal representatives or nominees; including but not limited to any acts which may be necessary, desirable or convenient for claiming said rights and for securing and maintaining patents for said inventions in any and all countries and for vesting title thereto in Agere Systems Guardian and its respective successors, assigns and legal representatives or nominees.

IN WITNESS WHEREOF, the parties have caused this PATENT ASSIGNMENT to be executed by their duly authorized representatives as of the Effective Date.

LUCENT TECHNOLOGIES INC.

By: 
Daniel P. McCurdy
President, Intellectual Property Business

AGERE SYSTEMS GUARDIAN CORP.

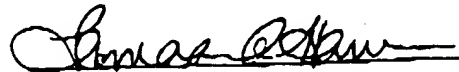
By: 
Fred M. Romano
President

ACKNOWLEDGMENTS

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STATE OF NEW JERSEY)
: ss:
COUNTY OF SOMERSET)

I CERTIFY that on January 30, 2001, Daniel P. McCurdy personally came before me and this person acknowledged under oath, to my satisfaction that:
a.) this person signed, sealed and delivered the attached Patent Assignment as President - Intellectual Property Business of Lucent Technologies Inc.; and
b.) this Patent Assignment was signed and made by Lucent Technologies Inc. as its voluntary act and deed by virtue of authority from its Board of Directors.



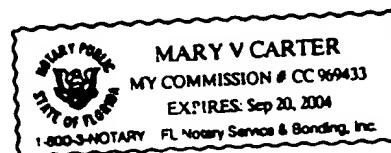
Name TAMORA ANNE HANNA
Notary Public Notary Public of New Jersey
My Commission Expires Registered in Hunterdon County
[Notarial Seal] My Commission Expires March 25, 2002

STATE OF FLORIDA)
: ss:
COUNTY OF ORANGE)

I CERTIFY that on January 31, 2001, Fred M. Romano personally came before me and this person acknowledged under oath, to my satisfaction that:
a.) this person signed, sealed and delivered the attached Patent Assignment as Vice President of Agere Systems Guardian Corp. ; and
b.) this Patent Assignment was signed and made by Agere Systems Guardian Corp. as its voluntary act and deed by virtue of authority from its Board of Directors.



Name
Notary Public
My Commission Expires:
[Notarial Seal]



APPENDIX B (continued)
Transferred Patents

Case Name	Filing Date	Issue Date	Patent No.	Serial No.
Balakrishnan 1-7	1/29/1999			09/240005
Banerjea 4-3-4-1	6/11/1998		09/096425	
Banerjea 6-8-10-5	6/30/2000			09/607619
Banerjee 1-14	4/30/1998		09/069733	
Banerjee 2-2-20	1/19/2000			09/488069
Banik 1-80-72-26-1	8/31/1999			09/386514
Banik 2-73	2/29/2000			09/514489
Banik 3-92-6-21-83-16-42-7	11/23/1999			09/447286
Banu 10	9/29/2000		09/675400	
Banu 11-14	8/28/2000		60/229393	
Banu 9-1	11/30/1999			09/451044
Bao 10	4/23/1999			09/298575
Bao 12-23-34-13-21	9/8/1999			09/391729
Bao 13-22	9/9/1999			09/393032
Bao 14-3	4/6/2000			09/543808
Bao 2-12-1-8	12/20/1998		08/770535	
Bao 3	11/24/1997		08/976649	
Bao 7	12/1/1998			09/204002
Bao 9-1-13	5/5/1999			09/305722
Barakat 1-1	9/5/1997		08/924807	
Barakat 2-2	2/3/2000			09/496609
Barazesh 1-1	8/6/1997		08/906818	
Barazesh 4-10-3-1	6/22/1999			09/337687
Barazesh 5-12-4-2	6/22/1999			09/338664
Barazesh 6-13-5-3	6/22/1999			09/338134
Barba 1-3-2-14-12	8/9/1999			09/370422
Barber 10-14-9-1	8/30/1999			09/385745
Barber 11-15-50	5/16/2000			09/571919
Barber 12-2	2/4/2000			09/498472
Barber 13-5-4	2/4/2000			09/497993
Barber 14-6-5-5	2/4/2000			09/497880
Barber 15-7	12/17/1999			09/465880
Barber 16-16-52	11/1/1999			09/432040
Barber 17-53	11/1/1999			09/431772
Barber 18-3	2/11/2000			09/503225
Barber 19-3-2-19-57	5/23/2000			09/576807
Barber 20-17-1-2-58	9/26/2000			
Barber 22-2-21	9/26/2000		09/669944	
Barber 23-19-22	10/31/2000		09/702713	
Barber 7-10-2	7/16/1999			09/354711
Barber 8-25-11-1	9/12/1998		09/152185	
Barber 9-1-26-12	9/12/1998		09/152189	
Barnwell 1-1	9/2/1999			09/388486
Baron 3-32-39-3	8/11/2000		09/636670	
Basavapatna 3-10	2/2/1998		09/017174	
Bastek 2-2-1	12/15/1999			09/461609
Batlogg 12-1-1	11/17/1999			09/441751
Batten 1-4-3-3-1	5/18/1998		09/080787	
Batten 2-5-4-5-2-3-1	9/14/1998		09/152744	
Batten 3-6-5-6-3-2	10/19/1998			09/174936
Batten 4-7-6-7-4-3	12/4/1998			09/205466
Batten 5-9-8-10-4	3/22/1999			09/274134
Batten 6-10-9-11-5	3/22/1999			09/274129
Batten 7-11-10-12-6	3/22/1999			09/274133
Baudendistel 1	9/2/1998		09/146324	
Baumhauer 14-10	7/24/1998		09/122582	
Bautista 1-1-1-1-1-1	2/11/2000			09/502266
Bautista Villares 1-1-1	10/29/1999			09/430768
Bayer 1	2/24/1998		09/030055	
Bayer 3	5/6/1998	7/4/2000	6084442	

DOCKET



MAY 27, 2000

HITT CHWANG & GAINES, P.C.
DAVID H. HITT
P.O. BOX 832570
RICHARDSON, TX 75083



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RECORDATION DATE: 02/29/2000

REEL/FRAME: 010659/0046
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

BANIK, SOMNATH

DOC DATE: 02/28/2000

ASSIGNOR:

JOHANSON, JAMES A.

DOC DATE: 02/22/2000

ASSIGNEE:

LUCENT TECHNOLOGIES, INC.
600 MOUNTAIN AVENUE
MURRAY HILL, NEW JERSEY 07974-0636

SERIAL NUMBER: 09514489
PATENT NUMBER:

FILING DATE: 02/29/2000
ISSUE DATE:

SHARON LATIMER, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

FORM PTO-1619A
Expires 06/30/99
OMB 0651-0027



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02/28/00

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- ☐ Mark If additional names of conveying parties attached
- Execution Date
Month Day Year
02 28 2000

Name (line 1) Sonnath Banik

Name (line 2)

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Second Party

Name (line 1) James A. Johanson

Execution Date
Month Day Year
02 22 2000

Name (line 2)

Technology Center 2600

Receiving Party

- ☐ Mark If additional names of receiving parties attached

Name (line 1) Lucent Technologies, Inc.

Name (line 2) a Corporation of Delaware

Address (line 1) 600 Mountain Avenue

Address (line 2)

Address (line 3) Murray Hill

New Jersey

07974-0636

City

State/Country

Zip Code

☐ If document to be recorded
is an assignment and the
receiving party is not
domiciled in the United
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(Designation must be a
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Domestic Representative Name and Address

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Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

Correspondent Name and Address

Area Code and Telephone Number (972) 480-8800

Name David H. Hitt

Address (line 1) Hitt Chwang & Gaines, P.C.

Address (line 2) P.O. Box 832570

Address (line 3) Richardson, Texas 75083

Address (line 4) Technology Center 2600

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Enter the total number of pages of the attached conveyance document including any attachments.

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Application Number(s) or Patent Number(s)

☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

N/A						

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year
02 28 2000

Patent Cooperation Treaty (PCT)

Enter PCT application number only if a U.S. Application Number has not been assigned.

PCT PCT PCT
PCT PCT PCT

Number of Properties

Enter the total number of properties involved.

1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$ 40.00

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Deposit Account

Enclosed ☐

Deposit Account ☒

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

12-2325

Authorization to charge additional fees:

Yes

☒

No

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Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

David H. Hitt

02/29/00

Name of Person Signing

Signature

Date

ASSIGNMENT

For value received, We, Somnath Banik, of Allentown in the County of Monmouth and State of Pennsylvania, and James A. Johanson, of Macungie in the County of Lehigh and State of Pennsylvania, hereby sell, assign and transfer to Lucent Technologies Inc., a corporation of the State of Delaware, having an office at 600 Mountain Avenue, Murray Hill, New Jersey 07974-0636, U.S.A., and its successors, assigns and legal representatives, the entire right, title and interest, for the United States of America, in and to certain inventions related to "SYSTEM AND METHOD FOR COMMUNICATING DATA OVER A RADIO FREQUENCY VOICE CHANNEL" described in an application for Letters Patent of the United States, executed by us of even date herewith, and all the rights and privileges in said application and under any and all Letters Patent that may be granted in the United States for said inventions; and we also concurrently hereby sell, assign and transfer to Lucent Technologies Inc. the entire right, title and interest in and to said inventions for all countries foreign to the United States, including all rights of priority arising from the application aforesaid, and all the rights and privileges under any and all forms of protection, including Letters Patent, that may be granted in said countries foreign to the United States for said inventions.

We authorize Lucent Technologies Inc. to make application for such protection in its own name and maintain such protection in any and all countries foreign to the United States, and to invoke and claim for any application for patent or other form of protection for said inventions, without further authorization from us, any and all benefits, including the right of priority provided by any and all treaties, conventions or agreements.

We hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of Lucent Technologies Inc. to apply for patent or other form of protection for said inventions and to claim the aforesaid benefit of the right of priority.

We request that any and all patents for said inventions be issued to Lucent Technologies Inc. in the United States and in all countries foreign to the United States, or to such nominees as Lucent Technologies Inc. may designate.

We agree that, when requested, we shall, without charge to Lucent Technologies Inc. but at its expense, sign all papers, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents, or other forms of protection.

Somnath Banik
Somnath Banik

STATE OF Pennsylvania
COUNTY OF Lehigh

§
§
§

On this 28th day of February, 2000, before me personally came Somnath Banik, to me known to be the individual described herein and who executed the foregoing instrument, and acknowledged execution of the same.

Rose Ann Bachik
Notary Public

My Commission Expires:

11/03/03

Notarial Seal
Rose Ann Bachik, Notary Public
Allentown, Lehigh County
My Commission Expires Nov. 3, 2003
Member, Pennsylvania Association of Notaries

Notarial Seal
Rose Ann Bachik, Notary Public
Allentown, Lehigh County
My Commission Expires Nov. 3, 2003
Member, Pennsylvania Association of Notaries

James A. Johanson
James A. Johanson

STATE OF Pennsylvania

COUNTY OF Lehigh

§
§
§

On this 22nd day of February, 2000, before me personally came James A. Johanson, to me known to be the individual described herein and who executed the foregoing instrument, and acknowledged execution of the same.

Rose Ann Bachik
Notary Public

My Commission Expires:

11-3-2003

Notarial Seal
Rose Ann Bachik, Notary Public
Allentown, Lehigh County
My Commission Expires Nov. 3, 2003
Member, Pennsylvania Association of Notaries

Lucent Technologies, Inc.
600 Mountain Avenue (Room 3C-512)
P.O. Box 636
Murray Hill, New Jersey 07974-0636